

REMARKS

This paper is responsive to the final Office Action dated April 8, 2003, having a shortened statutory period expiring July 8, 2003, wherein:

Claims 1-39 were previously pending in the application; and

Claims 1-39 were rejected.

Claims 1, 10, 16, 22, and 31 have been amended; No claims have been added or cancelled by the current response. Accordingly, claims 1-39 remain currently pending in the present application.

Formal Matters

Applicants wish to express their appreciation for the courtesies extended by the Examiner during the most-recent Examiner Interview Teleconference. While specific agreement as to Applicants' claims was not reached, it is respectfully submitted that the amendments and remarks within the present response are in harmony with the positions expressed by the Examiner and Applicants' representative during the Interview Teleconference and that the claims, as amended herein, are allowable over the Examiner's cited references.

Rejection of Claims under 35 U.S.C. § 103

The present final Office Action includes rejections of claim 1-39 under 35 U.S.C. §103(a) identical to that found in the non-final Office Action dated October 24, 2002. As stated in the response to Office Action dated January 29, 2003, Applicants respectfully disagree and submit that the Examiner's cited references, U.K. Patent No. 2,308,895, issued to Kawashima et al. (hereinafter, "**Kawashima**"), U.S. Patent No. 5,513,073, issued to Block et al. (hereinafter, "**Block**"), U.S. Patent No. 5,182,632, issued to Bechtel et al. (hereinafter, "**Bechtel**") fail to teach, show, or suggest all elements of Applicants' claims.

Response to Amendments/Arguments

In the present final Office Action, the Examiner addressed the remarks made by Applicants in the response to Office Action dated January 29, 2003, stating:

The claims do not define “structural structure features” that distinguish over the prior art: For example, the terms “high speed optical format data transmission as recited only in the preamble of claims 1 and 22 are not positively claimed. Therefore, the aforementioned terms do not add any patentable weight to the claims limitations. In regard to the argument that the heatsink interfacing with the electrical or optical, the heatsink is not a standalone system. The heatsink is connected to the flexible cable that is connected to the optical transducing assembly (see claims 1-14). Furthermore, in response to applicant’s argument that there is no suggestion to combine the references, the Examiner recognizes that references can not be arbitrarily combined and that there must be some reason why one skilled in the art would be motivated to make the proposed combination of the primary and secondary references. In re Nomiya, 184 USPQ 607 (CCPA 1975). However there is no requirement that a motivation to make the modification be expressly articulated...References are evaluated by what they suggest to one versed in the art, rather than by their specific disclosures.

Applicants respectfully disagree and traverse the rejection as follows. As an initial matter, it is noted that Applicants have not relied on the described preamble elements of claims 1 and 22 to distinguish the Examiner’s cited references. As indicated in the most-recent Examiner Interview Teleconference, Applicants further submit that it is unclear from the Examiner’s statement that, “The heatsink is connected to the flexible cable that is connected to the optical transducing assembly (see claims 1-14)” to which of *Kawashima*, *Block*, or *Bechtel* the Examiner is referring. Accordingly, Applicants request that the Examiner cite with specificity which reference and which portion of the reference is being relied on as required by 37 C.F.R. §1.104(c)(2). Applicants will assume for purposes of responding to the present Office Action that the Examiner intended to indicate claims 1-14 of *Block*.

In light of the most-recent Examiner Interview Teleconference, Applicants have further clarified independent claims 1, 10, 16, 22, and 31 and accordingly submit that neither **Block** nor any of the Examiner's other cited references teach, show, or suggest "a printed circuit board assembly for high-speed optical format data transmission including:

...a heatsink attached to the printed circuit board wherein the heatsink directly interfaces with a plurality of the electrical and optical components.

as required by Applicants' claim 1 (as amended) and generally required by claims 10, 16, 22 and 31. Claims 2-9 depend directly or indirectly from Applicants' claim 1 and are therefore allowable for at least those reasons stated for the allowability of claim 1. Applicants' claims 11-15, 17-21, 23-30, and 32-39 which depend from claims 10, 16, 22 and 31, respectively, are similarly allowable. Accordingly, Applicants respectfully submit that all claims, as amended, are allowable over the Examiner's cited references.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5080.

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Respectfully submitted,



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